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EXHIBIT 1  
DATE 3/5/2015  
SJB 119

**RESOLUTION 2014-03**

### CLARIFYING ELIGIBLE VOTERS IN CERTAIN ELECTIONS

It is the intent of the Montana Association of Counties to seek legislation to clarify eligible voters in certain elections.

**WHEREAS**, corporations owning property within a county water and sewer district are allowed voting rights through the corporate officers pursuant to 7-13-2254; and

**WHEREAS**, at the time of enactment of that statute in 1957, Montana Law did not provide for other types of property ownership by non-natural persons such as Limited Liability Companies and Limited Liability Partnerships; and

**WHEREAS**, 38 A.G Op 47 (1979) reaffirmed the right of corporate property owners to vote in such elections; and

**WHEREAS**, in 1993 the Montana Legislature passed the Montana Limited Liability Company Act (LLC); and

**WHEREAS**, all property owners, irrespective of whether the property is owned by "natural persons" or "corporate person" who would be liable for any fees or assessments for a county water and sewer district should have a voice in determining whether such a district should be created and who will serve as members of the board of directors; and

**WHEREAS**, the 2009 Montana Legislature passed the Uniform Act for Special Purpose Districts. Included in that legislation are provisions for property owners who would be liable for any fees or assessments to petition for the creation of a special purpose district, file protests against the creation of such a district and vote on a referendum concerning the creation of such a district; and

**WHEREAS**, the Uniform Act for Special Purpose Districts does not address property ownership by non-natural persons.

**NOW, THEREFORE, BE IT RESOLVED** that the Montana Association of Counties will seek legislation to clarify that all property owners who would be liable for assessments and fees are afforded the same voting rights, irrespective of whether the property is owned by a "Corporate Person" or "natural Person."

SPONSOR:	Jefferson County
RECOMMENDATION:	Do Pass
REFERRED TO:	MACo Resolutions & Legislative Committee
ADOPTED:	Annual Conference, Kalispell, MT September 24, 2014